

# House File 2278 - Introduced

HOUSE FILE 2278  
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO HSB 523)

## A BILL FOR

1 An Act restricting disclosures of specified information by  
2 regional transit districts, and providing a penalty.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 28M.1, Code 2014, is amended by adding  
2 the following new subsections:

3 NEW SUBSECTION. 0A. *"Aggregate data on user and customer*  
4 *transaction history and fare card use"* means data relating to  
5 the dates fare cards were used, the times fare cards were used,  
6 the types of transit services used, the types of fare products  
7 used, and information about the dates, times, and types of fare  
8 products purchased.

9 NEW SUBSECTION. 1B. *"Fare collection system"* means a system  
10 created and administered by a regional transit district that  
11 is used for collecting fares or providing fare cards or passes  
12 for public transit services including fixed-route bus service,  
13 paratransit bus service, rideshare programs, transportation  
14 services provided pursuant to section 249A.12, and light rail  
15 or commuter rail service.

16 NEW SUBSECTION. 1C. *"Governmental entity"* means the same  
17 as defined in section 8A.101.

18 NEW SUBSECTION. 1D. *"Personalized internet services"* means  
19 services for which regional transit district applicants, users,  
20 and customers must establish an internet user account.

21 Sec. 2. NEW SECTION. 28M.7 **Regional transit district**  
22 **customer data — disclosure restrictions — penalty.**

23 1. Data concerning applicants, users, and customers of a  
24 regional transit district collected by or through personalized  
25 internet services or a fare collection system shall be  
26 considered private and not subject to disclosure except as  
27 provided in this section.

28 2. A regional transit district may disclose aggregate  
29 data on user and customer transaction history and fare card  
30 use to government entities, organizations, school districts,  
31 educational institutions, and employers that subsidize or  
32 provide fare cards to their clients, students, or employees.  
33 Government entities, organizations, school districts,  
34 educational institutions, and employers may use the aggregate  
35 data only for purposes of measuring and promoting fare card

1 use and evaluating the cost-effectiveness of their fare card  
2 programs. The disclosure of nonaggregate or personalized  
3 data on user and customer transaction history and fare card  
4 use to government entities, organizations, school districts,  
5 educational institutions, and employers shall be strictly  
6 prohibited.

7 3. A regional transit district may disclose data concerning  
8 applicants, users, and customers collected by or through  
9 personalized internet services or a fare collection system  
10 to another government entity to prevent a breach of security  
11 regarding electronic systems maintained by the regional transit  
12 district or the governmental entity, or pursuant to a subpoena  
13 issued in connection with a civil or criminal investigation.

14 4. A violation of this section is punishable by a civil  
15 penalty in an amount not to exceed five thousand dollars for  
16 each violation.

17 EXPLANATION

18 The inclusion of this explanation does not constitute agreement with  
19 the explanation's substance by the members of the general assembly.

20 This bill restricts disclosure of specified information by  
21 regional transit districts.

22 The bill provides several new definitions. The bill defines  
23 "aggregate data on user and customer transaction history and  
24 fare card use" to mean data relating to the dates fare cards  
25 were used, the times fare cards were used, the types of transit  
26 services used, the types of fare products used, and information  
27 about the dates, times, and types of fare products purchased.

28 The bill defines "fare collection system" to mean a system  
29 created and administered by a regional transit district that  
30 is used for collecting fares or providing fare cards or passes  
31 for public transit services including fixed-route bus service,  
32 paratransit bus service, rideshare programs, transportation  
33 services provided pursuant to Code section 249A.12, and light  
34 rail or commuter rail service.

35 The bill defines "personalized internet services" to mean

1 services for which regional transit district applicants, users,  
2 and customers must establish an internet user account.

3     Additionally, the bill references an existing definition  
4 of "governmental entity" defined in Code section 8A.101 as  
5 meaning any unit of government in the executive, legislative,  
6 or judicial branch of government; an agency or political  
7 subdivision; any unit of another state government, including  
8 its political subdivisions; any unit of the United States  
9 government; or any association or other organization whose  
10 membership consists primarily of one or more of any of the  
11 foregoing.

12     The bill provides that data concerning applicants, users,  
13 and customers of a regional transit district collected by or  
14 through personalized internet services or a fare collection  
15 system shall be considered private and not subject to  
16 disclosure. The bill provides exceptions to this nondisclosure  
17 restriction. The bill provides that disclosure of aggregate  
18 data on user and customer transaction history and fare card  
19 use may be made to governmental entities, organizations,  
20 school districts, educational institutions, and employers that  
21 subsidize or provide fare cards to their clients, students,  
22 or employees strictly for purposes of measuring and promoting  
23 fare card use and evaluating the cost-effectiveness of fare  
24 card programs. The bill also provides that disclosure may be  
25 made to governmental entities to prevent a breach of security  
26 regarding electronic systems maintained by the regional transit  
27 district or the governmental entity, or pursuant to a subpoena  
28 issued in connection with a civil or criminal investigation.

29     The bill provides that a violation of the bill's provisions  
30 is punishable by a civil penalty in an amount not to exceed  
31 \$5,000 per violation.